

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document has been entered electronically in the record of the United States Bankruptcy Court for the Northern District of Ohio.

A blue ink signature of Mary Ann Whipple, written in a cursive style.

Mary Ann Whipple
United States Bankruptcy Judge

Dated: February 7 2013

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

In Re: Eric J. Bertok	*	JUDGE MARY ANN WHIPPLE
SSN: xxx-xx-7968		
Gwen M. Bertok	*	Case No. 12-33195 W
aka Gwendolyn M. Bertok		
aka Gwen M. Fischer	*	
aka Gwendolyn M. Fischer		
aka Gwen M. Tyner	*	
aka Gwendolyn M. Tyner		
SSN: xxx-xx-4590		

Debtors

ORDER CONFIRMING PLAN
AND
CONSOLIDATING JOINT DEBTORS' ESTATES

The debtors' plan filed on July 11, 2012, as modified per Stipulated Order Amending Chapter 13 Plan filed August 22, 2012, and as further modified per Stipulated Order Amending Chapter 13 Plan filed January 30, 2013, having been transmitted to creditors, and it having been determined after hearing on notice that the plan complies with the provisions of Chapter 13, and with all applicable provisions of Title 11 and that each requirement of 11 U.S.C. Section 1325(a) has been met;

IT IS THEREFORE ORDERED that the plan be, and it hereby is, Confirmed; it is further,

ORDERED that the Debtors, Eric J. Bertok and Gwen M. Bertok, remit monthly to: **JOHN P. GUSTAFSON-TRUSTEE, STANDING CHAPTER 13 TRUSTEE, P.O. Box 712284, Cincinnati, Ohio 45271-2284**, the sum of **\$450.00** through **October, 2013**, then beginning **November, 2013**, the Debtors shall remit monthly to the Standing Chapter 13 Trustee the sum of **\$835.00** until they shall have paid to the Trustee the total moneys required to consummate the plan; it is further,

ORDERED that Debtors shall submit a lump sum from an inheritance within the next eighteen (18) months with the lesser of, 1) the entire amount of the inheritance; or, 2) an amount sufficient to pay the Plan off in full; Debtors shall notify the Trustee when they first learn of the amount of the inheritance and obtain a payoff figure for their Chapter 13 Plan; it is further,

ORDERED that Debtor(s) shall submit annually to the Trustee all tax refunds for tax years **2012, 2013, 2014, 2015 and 2016** by April 15th of each year, and submit copies of all tax returns to the Chapter 13 Trustee; and the Debtor(s) agrees that no changes to tax withholdings shall be made without the written permission of the Trustee; it is further,

ORDERED that percentage to the unsecured creditors will be determined as the tax refunds are received; it is further,

ORDERED that this case shall be reviewed after the bar date (**November 19, 2012**) to determine the feasibility of increasing the percentage paid to unsecured creditors while keeping payments at the level(s) set forth in this Order Confirming Plan; it is further,

ORDERED that all creditors are enjoined from proceeding against the wages or other property of the debtors without prior permission from this Court; that debtors' employer is enjoined from honoring garnishments, levies, executions or attachments of any kind whatsoever against the wages or other property of the debtor during the pendency of this proceeding, the only exception being payroll deductions for court-ordered support and/or alimony payments; and the employer or debtor(s) shall further immediately notify the Trustee of any termination or suspension of the debtor's employment; it is further,

ORDERED that all creditors are enjoined from commencing or continuing any civil action, or attempting in any manner whatsoever to collect all or any part of a consumer debt proposed to be paid under this plan from any individual that is liable on such debt with the debtor(s) as endorser, guarantor or co-maker; it is further,

ORDERED that the Trustee disburse the moneys paid in, by or for the debtor under the plan in accordance with 11 U.S.C. Sections 1326 and 1325, and in the event of a conversion to another chapter or a dismissal of this case by the Court or by the debtors pursuant to 11 U.S.C. Section 1307, all funds remaining in the hands of the Trustee at the time of dismissal or conversion shall be paid to the Chapter 13 creditors pursuant to the terms of this confirmed plan; it is further,

ORDERED that the Trustee may cease making payment(s) on any claim that is the subject of an Objection, until such time as the Objection is resolved by a final Order. During the pendency of the Objection, the Trustee shall take reasonable steps to insure that there are funds in the estate available to pay the claim if it is allowed as filed and is otherwise properly payable pursuant to the Confirmed Plan and the priorities set forth in the Bankruptcy Code; it is further,

ORDERED that debtors shall maintain insurance coverage on all property, both real and personal, during the pendency of this plan; it is further,

ORDERED that during the pendency of this case, debtors shall timely file all tax returns and pay any and all post-petition tax liabilities as required by law; it is further,

ORDERED that debtors shall not incur additional debt exceeding \$1000.00 in the aggregate without the consent of the Trustee; it is further,

ORDERED that debtors shall inform the Trustee of any changes in circumstances or additional income received, and shall further comply with any requests of the Trustee with respect to additional financial information; it is further,

ORDERED that the estates of the above named debtors be, and the same hereby are consolidated; it is further,

ORDERED that the administrative expenses of the Trustee shall be paid in full pursuant to 11 U.S.C. Section 503(b), 507(a)(1)(C), 1326(b)(2) and 28 U.S.C. Section 586(e)(1)(B).

Certificate of Service List

MSC Walbridge Coating, Inc.
30610 S. Broadway
Walbridge, OH 43465-0550
Attn: Payroll Dept.

UTMC
3000 Arlington Ave.
Toledo, OH 43614
Attn: Payroll Dept.

United States Bankruptcy Court
Northern District of Ohio
Office of the Clerk

Kenneth J. Hirz
Clerk

Western Division
411 U.S. Court House
Toledo, Ohio 43604
(419) 213-5600

MSC Walbridge Coating, Inc.
ATTN: Payroll Dept.
30610 S. Broadway
Walbridge, OH 43465-0550

Re: Your Employee Eric J. Bertok

SS# xxx-xx-7968

Case No. 12-33195 W

Gentlemen:

Your employee named above has filed a Chapter 13 Wage-Earner petition in this Court, which proposes a plan for repayment of creditors. Your employee has not filed a Chapter 7 liquidation bankruptcy, but is making a sincere attempt at repayment of creditors and is to be commended for making this effort.

Enclosed is a copy of an order filed in this matter directing your employee to remit payments to the trustee named therein. **YOU ARE NOT BEING ORDERED TO MAKE ANY DEDUCTIONS FROM YOUR EMPLOYEE'S WAGES.** You are being sent a copy of this Order to notify you that you are not to honor any garnishments or attachments with respect to this employee. If you should receive any garnishments, please notify the sender that the wages of this debtor are under the exclusive jurisdiction of this Court.

If you have any questions regarding these matters, please contact the trustee named in the enclosed order.

Thanking you for your cooperation, I am,

Sincerely yours,

David J. Fickel
Deputy Clerk in Charge

Enclosure

cc: Eric J. Bertok
 23668 W. Moline Martin Rd.
 Millbury, OH 43447

United States Bankruptcy Court
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Kenneth J. Hirz
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Western Division
411 U.S. Court House
Toledo, Ohio 43604
(419) 213-5600

UTMC
ATTN: Payroll Dept.
3000 Arlington Ave.
Toledo, OH 43614

Re: Your Employee Gwen M. Bertok

SS# xxx-xx4590

Case No. 12-33195 W

Gentlemen:

Your employee named above has filed a Chapter 13 Wage-Earner petition in this Court, which proposes a plan for repayment of creditors. Your employee has not filed a Chapter 7 liquidation bankruptcy, but is making a sincere attempt at repayment of creditors and is to be commended for making this effort.

Enclosed is a copy of an order filed in this matter directing your employee to remit payments to the trustee named therein. **YOU ARE NOT BEING ORDERED TO MAKE ANY DEDUCTIONS FROM YOUR EMPLOYEE'S WAGES.** You are being sent a copy of this Order to notify you that you are not to honor any garnishments or attachments with respect to this employee. If you should receive any garnishments, please notify the sender that the wages of this debtor are under the exclusive jurisdiction of this Court.

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Thanking you for your cooperation, I am,

Sincerely yours,

David J. Fickel
Deputy Clerk in Charge

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